

State of California
AIR RESOURCES BOARD

Resolution 97-43

November 13, 1997

Agenda Item No.: 97-9-3

WHEREAS, Health and Safety Code sections 39600 and 39601 authorize the Air Resources Board (the Board or ARB) to adopt standards, rules, and regulations and to do such acts as may be necessary for the proper execution of the powers and duties granted to and imposed upon the Board by law;

WHEREAS, the Legislature enacted the California Clean Air Act of 1988 (the Act; Stats. 1988, ch. 1568) declaring that it is necessary that the State ambient air quality standards (the State standards) be attained by the earliest practicable date to protect the public health, particularly the health of children, older people, and those with respiratory diseases;

WHEREAS, in order to attain the State standards, the Act mandates a comprehensive program of emission reduction measures and planning requirements for the State and the local air pollution control and air quality management districts (the districts) in areas where the State standards are not attained;

WHEREAS, the Act in Health and Safety Code section 39607(e) requires the Board to establish and periodically review criteria for designating an air basin as nonattainment or attainment for any State standard set forth in the California Code of Regulations, Title 17, section 70200 (ozone, carbon monoxide, nitrogen dioxide, sulfur dioxide, suspended particulate matter or PM10, sulfates, lead, hydrogen sulfide, and visibility reducing particles);

WHEREAS, on June 8, 1989, the Board adopted and on June 15, 1990; May 15, 1992; December 10, 1992; November 18, 1993; and November 16, 1995, the Board amended the California Code of Regulations, Title 17, sections 70300 through 70306, and Appendices 1 through 4, thereof, establishing designation criteria (the adopted criteria) consistent with the requirements of the Act;

WHEREAS, the Act in Health and Safety Code section 39608(a) requires the Board, in consultation with the districts, to identify and classify each air basin in California as nonattainment, attainment, or unclassified on a pollutant-by-pollutant basis pursuant to the designation criteria established by the Board under Health and Safety Code section 39607(e);

WHEREAS, the Act in Health and Safety Code section 39608(c) also requires the Board to review the area designations annually and update them as new information becomes available;

WHEREAS, on June 9, 1989, the Board approved the initial area designations which are contained in the California Code of Regulations, Title 17, sections 60200 through 60209, and has updated the area designations during each subsequent year;

WHEREAS, section 40925.5(a), as amended by AB 3048, Stats. 1996, ch. 777, mandates districts with a nonattainment designation for the State ozone standard to be designated “nonattainment-transitional” by operation of law if, during a single calendar year, the State standard is not exceeded more than three times at any monitoring location within the district;

WHEREAS, in consultation with the districts and considering comments received from public agencies, industry representatives, and interested persons, the ARB staff has proposed amendments to the table of area designations in the Sacramento Valley Air Basin for ozone and to the table of area designations in the Mountain Counties Air Basin for suspended particulate matter (PM10);

WHEREAS, these proposed amendments to the tables of area designations also are consistent with the designation criteria contained in the California Code of Regulations, Title 17, sections 70300 through 70306, and Appendices 1 through 4, thereof;

WHEREAS, the ARB staff has provided opportunities for public comment and considered such comments before proposing to the Board amendments to the tables of area designations;

WHEREAS, the California Environmental Quality Act and Board regulations require that no project which may have significant adverse environmental impacts be adopted as originally proposed if feasible alternatives or mitigation measures are available to reduce or eliminate such impacts;

WHEREAS, a public hearing and other administrative proceedings have been held in accordance with the provisions of Chapter 3.5 (commencing with section 11340), Part 1, Division 3, Title 2 of the Government Code, and the Board has considered the testimony presented by interested persons and the Board staff; and

WHEREAS, the Board finds that:

1. The proposed amendments to the tables of area designations comply with the requirements of Health and Safety Code section 39608;

2. The proposed amendments to the tables of area designations set forth in the California Code of Regulations, Title 17, sections 60201 and 60205 are consistent with the designation criteria contained in the California Code of Regulations, Title 17, sections 70300 through 70306 and Appendices 1 through 4, thereof;
3. The areas not recommended for redesignation due to unusual concentration events, to extreme concentration events, or to exceptional events are consistent with Appendix 2 of the designation criteria set forth in the California Code of Regulations, Title 17, sections 70300 through 70306;
4. This regulatory action will not have a significant adverse impact on the environment. In fact, it should ultimately result in environmental benefits because it is part of a multiple step program designed to achieve and maintain the State standards;
5. This regulatory action may have an indirect adverse impact on public health, public welfare, and the environment through future regulatory actions allowed for an area with a designation of “nonattainment-transitional” for the State ozone standard. However, any potential adverse impact on public health, public welfare, and environment will be considered at the time such regulatory actions are proposed; and
6. There is no alternative considered by the Board which would be more effective in carrying out the purpose of the proposed action or would be as effective and less burdensome to public agencies, small businesses, or private persons or businesses other than small businesses than the proposed action.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby adopts the amendments to the California Code of Regulations, Title 17, sections 60201 and 60205, as set forth in Attachment A, hereto.

I hereby certify that the above is a true and correct copy of Resolution 97-43, as adopted by the Air Resources Board.

Pat Hutchens, Clerk of the Board

Identification of Attachments to the Resolution

Attachment A: Proposed Amendments to Title 17, California Code of Regulations, sections 60201 and 60205.

ATTACHMENT A

1. Amend sections 60201 and 60205, Title 17, California Code of Regulations, to read as follows (additions are shown as underlined and *italicized*, and deletions as ~~strikeout~~):

60201. Table of Area Designations for Ozone

Area	Designation
North Coast Air Basin	Attainment
San Francisco Bay Area Air Basin	Nonattainment
North Central Coast Air Basin	Nonattainment
South Central Coast Air Basin	Nonattainment
South Coast Air Basin	Nonattainment
San Diego Air Basin	Nonattainment
Northeast Plateau Air Basin	Attainment
Sacramento Valley Air Basin	Nonattainment
<i>Sacramento Valley Air Basin</i>	
<i>Butte County¹</i>	<i>Nonattainment-Transitional</i>
<i>Glenn County¹</i>	<i>Nonattainment-Transitional</i>
<i>Remainder of Basin</i>	<i>Nonattainment</i>
San Joaquin Valley Air Basin	Nonattainment
Great Basin Valleys Air Basin	
Alpine County	Unclassified
Inyo County	Unclassified
Mono County ²	Nonattainment-Transitional
Mojave Desert Air Basin	Nonattainment
Salton Sea Air Basin	Nonattainment
Mountain Counties Air Basin	
Amador, Calaveras, El Dorado, Nevada,	
Placer, Mariposa, and Tuolumne Counties	Nonattainment
Plumas and Sierra Counties	Unclassified
Lake County Air Basin	Attainment
Lake Tahoe Air Basin	Attainment

¹ Designation by operation of law (1997), under H&SC, section 40925.5.

² Designation by operation of law (1996), under H&SC, section 40925.5.

NOTE: Authority cited: sections 39600, 39601, and 39608, Health and Safety Code. Reference: sections 39608 and 40925.5(a), Health and Safety Code.

60205. Table of Area Designations for Suspended Particulate Matter (PM10)

Designation	Area
North Coast Air Basin	Nonattainment
San Francisco Bay Area Air Basin	Nonattainment
North Central Coast Air Basin	Nonattainment
South Central Coast Air Basin	Nonattainment
South Coast Air Basin	Nonattainment
San Diego Air Basin	Nonattainment
Northeast Plateau Air Basin	
Modoc and Siskiyou Counties	Nonattainment
Lassen County	Unclassified
Sacramento Valley Air Basin	Nonattainment
San Joaquin Valley Air Basin	Nonattainment
Great Basin Valleys Air Basin	Nonattainment
Mojave Desert Air Basin	Nonattainment
Salton Sea Air Basin	Nonattainment
Mountain Counties Air Basin	
<i>El Dorado, Nevada, Placer</i>	
<i>Plumas, and Sierra Counties</i>	<i>Nonattainment</i>
Amador County	Unclassified
Calaveras County	Nonattainment
El Dorado County	Nonattainment
Mariposa County	
Mariposa County Portion of	
Yosemite National Park	Nonattainment
Remainder of County	Unclassified
<i>Remainder of Mariposa and Tuolumne Counties</i>	<i>Unclassified</i>
Nevada County	Nonattainment
Placer County	Nonattainment
Plumas County	Nonattainment
Sierra County	Nonattainment
Tuolumne County	Unclassified
Lake County Air Basin	Attainment
Lake Tahoe Air Basin	Nonattainment

NOTE: Authority cited: sections 39600, 39601, and 39608, Health and Safety Code. Reference: section 39608, Health and Safety Code